



## Secondments Policy and Procedure

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### Key messages

The ICO recognises the importance of engagement and collaboration to promote and improve information rights practices, and to deliver effective enforcement of those rights. Secondments are intended to support our aims of knowledge sharing and educating to promote best practice and effective enforcement. For external secondments we will partner with public, private and third sector organisations/companies.

This policy aims to provide a framework for considering and managing both internal and external secondments. The framework provides guidelines for a fair approach to secondments which is non-discriminatory.

Our aim is not only for secondments to benefit the ICO and its staff but also for inward secondees and their organisations to benefit. All involved should gain new knowledge, skills and experience.

It is the ICO's policy that external secondees should not be used to fill established roles or positions, or to cover existing workloads which could otherwise be undertaken by ICO staff.

### Does this policy relate to me?



This policy applies to all employees of the Information Commissioner’s Office and is intended to provide guidance on internal, incoming, outgoing and international secondments

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## 1. Introduction

1.1 A secondment can be described as a movement or loan of a person from one department or organisation to another. At the ICO secondments typically fall into one of the following categories:

- Internal – this means the movement of a person from one ICO department to another.
- Incoming – this means a person who is not an employee of the ICO joining the organisation for a temporary period of time from their employer. There will be a secondment agreement in place between the ICO and the external organisation which describes the terms of the secondment. The individual will remain an employee of their organisation for the duration of their secondment.
- Outgoing – this means a person who is an employee of the ICO joining another organisation for a temporary period of time. A secondment agreement will be in place between the ICO and the external organisation. The individual will remain an employee of the ICO for the duration of the secondment.



- 1.2 A secondment differs from agreements where we pay an individual to come and work with us on a full time basis from another organisation, where the purpose of them doing so is part of providing us with a service for which their employer is also making a profit. If we are buying in a service for which a profit is being made, this is not considered a secondment as defined in this policy, even if the arrangement states someone is effectively seconded to us for a period of time to do the work.
- 1.3 The duration of secondments are not expected to last more than two years. Any proposals for a longer secondment, or to extend a secondment beyond two years will require approval from the Resources Board.
- 1.4 All secondment agreements must be reviewed and approved by the ICO Commercial Legal team.

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## 2. Internal Secondments

- 2.1 Internal secondments are those where a member of ICO staff moves to a different ICO department for a defined period of time. This may be to gain relevant skills and experience to take back to their substantive role, to resource an internal project or for their personal development.
- 2.2 Internal secondments are temporary in nature and will be at the same grade as the secondee's substantive post.
- 2.3 Secondment opportunities will be advertised internally and candidates are required to seek approval from their current Head of Department. If a department is not able to support the release to the secondment at that time, they must provide the employee and People Services with details of their grounds for not approving the secondment application.
- 2.4 At the end of the period of secondment, the secondee will revert to their substantive post.

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### 3. Outgoing Secondments

- 3.1 The ICO may advertise secondment opportunities for staff to spend time with an external organisation. If this is the case the post will generally be advertised to all staff, though the opportunity may be limited to a smaller pool of staff if specific skills are required for the secondment. If there has been a request from an external organisation for a specific individual, the ICO will consider the possibility of releasing the person on secondment on its merits. If secondment opportunities are not advertised through fair and open competition, the ICO must assess whether the engagement could be damaging if made public.
- 3.2 An external secondment can only be undertaken with specific authorisation from the ICO. The ICO may refuse permission for an individual to apply for, or take up, an external secondment if it does not support the aims of the ICO.
- 3.3 An outgoing secondee will remain an ICO member of staff and subject to the terms and conditions of their ICO contract of employment.

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### 4. Incoming Secondments

- 4.1 Departments may need to appoint people with highly specialist skills that are not readily available within the ICO for up to a period of 2 years. Incoming secondments are not intended to be a substitute for recruiting permanent roles or positions.
- 4.2 Incoming secondments provide opportunities for external organisations to place a member of staff with the ICO for a temporary period. They are intended to help develop the experience of individuals, spread knowledge to other organisations and bring expertise into the ICO.
- 4.3 Incoming secondments are not available to those who are self-employed contractors, consultants or students.
- 4.4 Incoming secondees will remain on their employer's original terms and conditions of their contract of employment, for the duration of their secondment.



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## 5. International Secondments

- 5.1 In recognition of the expanding digital global environment, secondments may involve placements both in the UK and abroad.
- 5.2 In the case of outgoing international secondments the ICO will consider candidates in accordance with section 3 of this policy. If there is a requirement for outgoing secondees to relocate for international secondments, People Business Partners will liaise between the host organisation, the relevant country Embassy and the secondee to make the necessary arrangements for accommodation and travel, appropriate political and security briefing, and where necessary, relevant language training.
- 5.3 People Business Partners will also be responsible for supporting directorates with the application of any relevant visas; ensuring secondees satisfy all legal right to work requirements; advising on health cover and relevant insurance and assisting with any pay (including relocation payments) and pension arrangements.
- 5.4 Arrangements for accommodation and subsistence payments will have been agreed prior to the secondment and outlined in a Service/Secondment agreement between the ICO and the external stakeholder.
- 5.5 English language proficiency is desirable for all incoming international secondments.

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## 6. The Secondment Process

- 6.1 A business case would need to be submitted to the Resources Board for all outgoing and incoming secondments. The business case will provide details of the skills, knowledge or experience that is needed to acquire or develop and inform how the department/ICO would best benefit from any incoming secondments. In the case of outgoing secondments, the



business case must detail what skills, knowledge or experience the ICO employee could offer a host organisation.

- 6.2 All forms of secondment should be advertised for fair open competition. Once approved, secondments will be advertised on the ICO internal vacancies page. Where there is a requirement for specialist knowledge and skills the advert may be directed to a particular group. The application process will be outlined in the advert. For external incoming secondments, which are open to competition, the People Services Directorate will advertise the opportunity on the ICO website and if appropriate invite organisations to engage in our secondment process.
- 6.3 If a host organisation advertises for a secondee they may conduct their own selection process, however any potential placement must be ratified by the ICO. Where organisations have no preferred candidate the ICO will conduct a fair and open assessment in order to appoint the most suitable candidate.
- 6.4 Members of staff wishing to be considered for a secondment must discuss this with their manager before applying. The manager will discuss whether the member of staff has the pre-requisite knowledge and skills to be considered for the secondment. The manager will also discuss how the member of staff's existing role can be covered should they be selected for the secondment. They will then make a recommendation to the ICO responsible manager as to member of staff's suitability.
- 6.5 Managers are expected to seriously consider a secondment request and if they are unable to endorse their member of staff's application they are required to discuss the rationale for their decision. Secondments may be refused by the manager where:
- the member of staff does not have the pre-requisite knowledge and skills;
  - there is a significant impact on quality or performance of the department;
  - the department is unable to recruit, replace or reorganise the work among existing staff;
  - the individual is being monitored under the formal stages of people policies and procedures.
- 6.6 An agreement will be made between the ICO and external organisations for all outgoing and incoming secondments. The agreement will set out the terms of the secondment and the



expectation of all parties. All agreements must be ratified by the ICO's Commercial Legal team before being issued/signed.

- 6.7 Any potential conflicts of interest, including prior knowledge of any secondee must be declared. All actions taken as a result of such disclosures must be recorded and available for audit.

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## 7. Roles and responsibilities

- 7.1 Secondment agreements should be planned in advance as part of a strategic programme. At the beginning of each financial year, where the financial climate allows and business needs exist, each of the Directorates will make provision in their annual budget to cover both incoming and outgoing secondment costs for their areas.

- 7.2 The respective Directorate is responsible for submitting a business case for any new secondments which have an additional cost implication for consideration by the Resources Board. It should make clear that the secondment:

- has specific outputs which would support the ICO's strategic priorities and relative priority attached to ICO engagement with a particular jurisdiction or international organisation;
- offers an opportunity to advance priority objectives on particular topics e.g. AI challenges;
- would enhance cooperation in support of an ongoing investigation, or where regular collaboration is required;
- would enhance engagement with a particular jurisdiction or international organisation;
- furthers commitments made in bilateral Memorandums of Understanding and underpinning Action Plans;
- offers benefit to an ICO member of staff's professional development; and
- provides opportunities for knowledge transfer to the secondee – whether incoming or outgoing.

- 7.3 The People Services Business Partner will support directorates and responsible managers with the secondment process. In partnership with the responsible manager, they will liaise with external organisations to agree the individual terms of any



secondment agreements and will ensure all parties involved have a mutual understanding of the terms of the secondment.

- 7.4 The People Services Directorate are responsible for ensuring all on-boarding checks and new starter paperwork is completed ensuring secondees have the necessary equipment, and access to ICO systems. They will ensure inductions are arranged and mandatory training is completed.
- 7.5 The secondees line manager for their substantive post remains the secondees overall manager. However the designation of liaison or 'buddy' arrangements being made to support the employee throughout their secondment is also encouraged.
- 7.6 The secondees line manager for the period of the secondment, is responsible for day to day matters relating to work carried out by the secondee. Any serious management or performance issues concerning the secondee should be referred to the secondees substantive line manager as soon as is reasonably practicable.
- 7.7 The secondee is responsible for keeping in touch with their substantive line manager and should contact them if they have any concerns about the assignment.

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## 8. Returning from Secondment

- 8.1 At the end of the period of secondment the secondee will return to their substantive post.
- 8.2 When returning from secondment the secondee and substantive line manager should meet to evaluate the secondment and plan how new skills or experiences could be incorporated into work practice.

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## Version history







<b>Version</b>	<b>Changes made</b>	<b>Date</b>	<b>Made by</b>
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1.2	Transferred onto new policy template	August 2022	HR Operations

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